

ZONING COMMISSION OF THE DISTRICT OF COLUMBIA
APPLICATION TO AMEND THE TEXT OF THE ZONING REGULATIONS

Before filling out this form see the instructions on the reverse side.
Print or type all information unless otherwise indicated.

In accordance with the provisions of Section 102 of the Zoning Regulations,
request is hereby made for an amendment to the text of the Zoning Regulations
as follows:

Existing Language (include Section or Paragraph Number):

Please see attached Exhibit "A"

Proposed Language:

Please see attached Exhibit "A"

The above information and attached documents are true to the best of my
knowledge:



3/30/07

Applicant's Signature

Date

2007 APR -11 PM 1:47

DC OFFICE OF ZONING

RECEIVED

William B. Bush
Assistant Regional Administrator
GSA Public Buildings Service
National Capital Region

Applicant's Printed Name

Applicant's Filing Status (Check One):

- Owner of Property
- District of Columbia Department
- Federal Government Department

Persons to be notified of all actions:

William B. Bush
Assistant Regional Administrator
GSA Public Buildings Service
National Capital Region

AND

Forest City SEFC, LLC
c/o Greenstein DeLorme & Luchs, P.C.
Jacques B. DePuy, Esq./
Stephanie A. Baldwin, Esq.

Name

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Washington, D.C. 20036

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ZONING COMMISSION
District of Columbia

CASE NO. 07-11

EXHIBIT NO. 3

DO NOT WRITE BELOW THIS LINE

Date Received:

4-4-07
4-5-07

Date Accepted:

Z.C. Case No.

07-11

ZONING COMMISSION
District of Columbia
CASE NO.07-11
EXHIBIT NO.3

Exhibit "A"

PROPOSED AMENDMENTS TO ZONING TEXT

Southeast Federal Center Overlay

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D.C. OFFICE OF ZONING

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1. Section 1803.2 (a) and (d) is amended as follows:

1803.2 (a) ~~Art gallery;~~ [repealed]

1803.2 (d) ~~Cabaret;~~ [repealed]

2. Section 1803.3 is amended as follows:

1803.3(a) Any building or structure with frontage on M Street, S.E. ~~or New Jersey Avenue, S.E. or N Street, S.E.~~ shall provide preferred uses comprising a minimum of seventy-five (75%) of the frontage on M Street, S.E. or N Street, S.E. and a minimum of ~~fifty~~ seventy-five percent (~~50~~75%) of that portion of the gross floor area of the ground floor within a depth of fifty (50) feet from the exterior façade of the front of building, not including parking, parking access, mechanical and fire control rooms and other non-public spaces. This requirement shall not apply to (i) buildings directly south of the historic wall along M Street, S.E. between 4th Street, S.E. and the Washington Navy Yard, for so long as the wall remains or (ii) any addition to a building with frontage on M Street, S.E. or N Street, S.E. if the addition to such building has no frontage on such streets but, as allowed pursuant to § 1803.3(b) below, preferred uses may be provided on the ground floor level of such buildings.

1803.3(b) In addition to the locations in which preferred uses are required pursuant to §1803.3(a), pPreferred uses may be provided on the ground floor level of buildings without frontage on M Street, S.E. or New Jersey Avenue, S.E. in other areas within the SEFC/CR District, but are not required. If provided, the such preferred use area shall not be required to conform to the requirements of §§ 1803.3(a), (e), (f), and (g);

1803.3(e) Not less than fifty percent (50%) of the surface area of the street wall, including building entrances, of those ~~properties~~ building frontages described in §§ 1803.3(a) ~~and (b)~~ shall be devoted to doors or display windows having clear or low emissivity glass;

1803.3(g) The minimum floor-to-ceiling height for portions of the ground floor level devoted to preferred uses shall be ~~fifteen (15)~~ fourteen (14) feet; and

3. Amend Section 1803.4 as follows:

1803.4 In accordance with the procedures outlined in § 1810, two or more lots, whether contiguous or non-contiguous **and whether located in the same square or other squares,** within the SEFC/CR District may be combined for the purpose of allocating residential and non-residential uses regardless of the normal limitation on floor area by uses on each lot, provided that the aggregate residential and non-residential floor area shall not exceed the matter-of-right maximum ~~height or~~ density of the underlying zone districts, as may have been modified by the Overlay.

4. Amend 1803.13 as follows:

1803.13 In the SEFC/CR District, a building occupied by both residential and non-residential uses **or a building anywhere within the SEFC/CR District which includes preferred uses in compliance with the requirements of §1803.3(a)** shall be permitted 100% lot occupancy.

5. Add a new subsection 1803.14 as follows:

1803.14 A record lot may be created with respect to the parcel on which Building 167 is located, notwithstanding other requirements of this title. Any enlargements or additions to Building 167 shall comply with all requirements of this title.

6. Add a new subsection 1803.15 as follows:

1803.15 In the SEFC/CR District, the public space requirements of §633 shall not be applicable to a building anywhere within the SEFC/CR District which includes preferred uses in compliance with the requirements of §1803.3(a).

7. Amend 1804.2(f) as follows:

1804.2(f) All buildings and structures that abut the Open Space Area, as described in §1805.4, whether or not a street intervenes **but excluding buildings and structures that abut the Development Area, including existing Building 160 and any additions thereto and any building or structure to be constructed immediately to the east of Building 160 (i.e., north of Water Street, S.E., west of 4th Street, S.E. and south of Tingey Street, S.E.).**

8. Amend 1804.3(a), (b), (e) and (g) as follows:

1804.3(a) Any building or structure facing onto ~~4th-Tingey~~ Street, S.E. **west of 4th Street, S.E., or the SEFC/W-0 District west of 3rd Street, S.E.,** shall provide preferred uses comprising a minimum of seventy-five (75%) of the frontage **facing Tingey Street, S.E. or the SEFC/W-O District** and a minimum of ~~fifty~~ **seventy-five** percent (~~50~~**75**%) of **that portion of the gross floor area of the ground floor within a depth of fifty (50) feet from the exterior**

façade of the front of the building, not including parking, parking access, mechanical **and fire control** rooms, and other non-public spaces. **This requirement shall not apply to (i) existing Buildings 160 or (ii) any addition to a building with frontage facing onto Tingey Street, S.E. west of 4th Street, S.E., or the SEFC/W-O District west of 3rd Street, S.E. if the addition to the building has no frontage facing Tingey Street, S.E. or the SEFC/W-O District but, as allowed pursuant to § 1804.3(b) below, preferred uses may be provided on the ground floor level of such buildings.**

1804.3(b) **In addition to the locations in which preferred uses are required pursuant to §1804.3(a), Preferred uses may be provided on the ground floor level of buildings or structures that do not face 4th Street or the SEFC/W-O District in other areas within the SEFC/R-5-D and SEFC/R-5-E Districts, but are not required. If provided, the such preferred use area shall not be required to conform to the requirements of §§ 1804.3(a), (e), (f), and (g): If the bonus density authorized pursuant to § 1804.3(e) is used to provide non-required preferred uses, the preferred use area must be dedicated to preferred uses for the life of the building;**

1804.3(e) Not less than fifty percent (50%) of the surface area of the street wall, including building entrances, of those **properties building frontages dedicated to preferred uses** described in §§ 1804.3(a) and (b) shall be devoted to doors or display windows having clear or low emissivity glass;

1804.3(g) The minimum floor-to-ceiling height for portions of the ground floor level devoted to preferred uses shall be ~~fifteen (15)~~ **fourteen (14)** feet.

9. Add a new subsection 1804.6 as follows:

1804.6 **In the SEFC/R-5-D and R-5-E Districts, a building occupied by both residential and non-residential uses or a building anywhere within the SEFC/R-5-D and R-5-E Districts which includes preferred uses in compliance with the requirements of §1804.3(a) shall be permitted 100% lot occupancy.**

10. Amend Section 1805.3 as follows:

1805.3 The SEFC/W-0 Development Area consists of the northeastern portion of the SEFC/W-0 District, specifically the existing Building ~~173 171~~ and that portion of the SEFC/W-0 District located directly to the east of Building ~~173 171~~, north of a line extending east from the southern ~~facade elevation~~ of Building ~~173 171~~.

11. Amend Section 1805.9 as follows:

1805.9 The gross floor area of existing building ~~Building 173 171~~ shall not count toward any FAR computation.

12. Amend Section 1805.10 as follows:

1805.9 The minimum floor-to-ceiling height for the ground floor level of buildings in the SEFC/W-O District shall be fourteen (14) ~~fifteen (15)~~ feet.

13. Add a new Section 1805.12 as follows:

1805.12 Notwithstanding the requirements of §2517.1, two or more principal buildings or structures may be erected as a matter of right on a single subdivided lot within the SEFC/W-0 District provided that such principal buildings or structures comply with all other requirements of § 2517.